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PTO/SB/18 (08-00)

Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

376.171

First Named Inventor

Clint D. Kolda

Title

Variable Magnetic Resistance Unit For An Exercise Device

Express Mail Label No.

EV034622667US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. (X) Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original, and a duplicate for fee processing)
2. (X) Applicant claims small entity status
See 37 CFR 1.27
3. (X) Specification [Total Pages 19]
(preferred arrangement set forth below, MPEP 1503.01)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claims
 - Abstract of the Disclosure
4. (X) Drawing(s) (35 U.S.C. 113) [Total Sheets 8]
5. Oath or Declaration [Total Pages]
 - a. () Newly executed (original or copy)
 - b. () Copy from a prior application (37 CFR 1.63 (d))
(for continuation/divisional with Box 16 completed)
 - i. () **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63 (d)(2) and 1.33 (b).
6. () Application Data Sheet. See 37 CFR 1.76
7. () CD-ROM or CD-R in duplicate, large table or Computer Program
(Appendix)

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, D.C. 20231

8. () Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)

- a. () Computer Readable Form (CRF)
- b. () Specification Sequence Listing on:
 - i. () CD-ROM or CD-R (2 copies); or
 - ii. () paper
- c. () Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. () Assignment Papers (cover sheet & document(s))
10. () 37 CFR 3.73(b) Statement () Power of Attorney
(when there is an assignee)
11. () English Translation Document (if applicable)
12. () Information Disclosure Statement (IDS)/PTO-1449 () Copies of IDS Citations
13. () Preliminary Amendment
14. (X) Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. () Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. (X) Request and Certification under 35 U.S.C. 122
(b)(2)(B)(i) - Applicant must attached form PTO/SB/35 or its equivalent
17. (X) Other: Supplement To Transmittal Letter

16. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:() Continuation () Divisional () Continuation-in-part (CIP) of prior application No: / Prior application information: Examiner Group / Art Unit: **For CONTINUATION or DIVISIONAL APPS only:** The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.**17. CORRESPONDENCE ADDRESS**☐ Customer Number or Bar Code Labelor ☒ Correspondence address below

(Insert Customer No. or Attach bar code label here)

Name Andrew S. McConnell

Address Boyle, Fredrickson, Newholm, Stein & Gratz, S.C.
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State WI

Zip Code 53202

Country

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(414) 225-9755

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Name (Print/Type) Andrew S. McConnell

Registration No. (Attorney/Agent) 32,272

Signature



Date

4/22/02

01/23/02

JC951 U.S. PTO

PTO/SB/17 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**FEE TRANSMITTAL
for FY 2001**

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT **(\$ 490.00)****Complete if Known**

Application Number	
Filing Date	
First Named Inventor	Clint D. Kolda
Examiner Name	
Group Art Unit	
Attorney Docket No.	376.171

METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number: **50-1170**

Deposit Account Name: **Boyle Fredrickson Newholm Stein & Gratz S.C.**

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☒ Applicant claims small entity status See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit Card ☐ Money Order ☐ Other

FEE CALCULATION**1. BASIC FILING FEE**

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	370.00
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) **(\$ 370.00)****2. EXTRA CLAIM FEES**

Total Claims	Extra Claims	Fee from Below	Fee Paid
24	-20**= 4	9	36
5	-3**= 2	42	84
Multiple Dependent			

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) **(\$ 120.00)**

** or number previously paid, if greater, For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 0)**SUBMITTED BY**Name (Print/Type) **Andrew S. McConnell**Registration No (Attorney/Agent) **32,272****Complete (if applicable)**Telephone **414-225-9755**Signature Date **1/22/02****WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant commissioner for Patents, Washington, DC 20231

Applicant: CLINT D. KOLDA ET AL


CERTIFICATE OF EXPRESS MAIL

This is to certify that this correspondence is being deposited with the United States Postal Service as EXPRESS MAIL - POST OFFICE TO ADDRESSEE, in an envelope addressed to BOX PATENT APPLICATION, COMMISSIONER FOR PATENTS, Washington, DC 20231 on January ~~22~~, 2002. The Express Mail Label No. is E/034622667US.

Dawn M. Oleszak
Dawn M. Oleszak

1-22-02
Date

10054781.012302

REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)	First Named Inventor	Clint D. Kolda
	Title	VARIABLE MAGNETIC RESISTANCE UNIT FOR AN EXERCISE DEVICE
	Atty. Docket Number	376.171
<p>I hereby certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).</p> <p>January 22, 2002 Date</p> <p> Signature Andrew S. McConnell Typed or printed name</p> <p>This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application upon filing.</p> <p>Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.</p> <p>If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant must notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(b)(iii)).</p>		

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Of:)
)
CLINT D. KOLDA ET AL)
)
Filed Herewith)
)
VARIABLE MAGNETIC)
RESISTANCE UNIT FOR AN)
EXERCISE DEVICE)

SUPPLEMENT TO TRANSMITTAL LETTER

COMMISSIONER FOR PATENTS
Washington, D.C. 20231

Sir:

This application is being filed pursuant to 37 CFR 1.53(b) and (d). The application includes the specification, at least one claim, the drawings, and the filing fee. The inventors are Clint D. Kolda of 113 Vista Drive, Cottage Grove, Wisconsin 53527, a United States Citizen, Chang Shin Pin of Hsin Tien, P.O. Box 118, Taipei, Taiwan, R.O.C., and Zhu Zhao Hua of No. 302 LaiFeng Street, Qinghuai District, Nanjing, China, both citizens of China.

The oath or declaration of the applicant is not included. The declaration will be forwarded promptly upon notification from the U.S. Patent and Trademark Office.

Please address all correspondence to:

ANDREW S. McCONNELL
BOYLE, FREDRICKSON, NEWHOLM, STEIN & GRATZ, S.C.
250 East Wisconsin Avenue, Suite 1030
Milwaukee, Wisconsin 53202

Please address all telephone calls to:

ANDREW S. McCONNELL

Phone No.: (414) 225-9755

Respectfully submitted,



Andrew S. McConnell

Reg. No. 32,272

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Attorney Docket No: 376.171